

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Larry W. Carden .
Vikke F. Carden

Debtor(s)

**Motion and Notice
Chapter 13**

No: B-09-80499 C-13D

The undersigned Standing Trustee respectfully moves the Court for an order as follows:

The bar date for filing claims in this case was August 6, 2009. On July 16, 2010, the Standing Trustee received the proof of claim in favor of BAC Home Loans Servicing, LP ("BAC") in the amount of \$22,146.65. BAC was a listed and scheduled creditor at the time of the filing of this case.

The Standing Trustee respectfully recommends to the Court that an Order be entered disallowing the claim of BAC as untimely filed.

Date: July 20, 2010
ej

s/Richard M. Hutson, II
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before August 30, 2010, with the parties named on the attached Parties To Be Served list and with the U.S. Bankruptcy Court at the following address:

*300 W. Morgan Street
Durham, NC 27701*

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on September 16, 2010, at 11:00 a.m., in the following location:

*Courtroom, Venable Center
Dibrell Building – Suite 280
302 East Pettigrew Street
Durham, NC 27701*

Date: July 20, 2010

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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Richard M. Hutson, II
Standing Trustee
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BAC Home Loans Servicing, Inc.
Attn: Managing Agent
PO Box 5170
Simi Valley, CA 93062-5170